IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

BRYAN O'NEAL BENSON	,)
	Plaintiff,) }
v.		1:04CV00157
CITY OF DURHAM,)
	Defendant.)

JUDGMENT

For the reasons set out in an Order filed contemporaneously with this Judgment,

IT IS ORDERED AND ADJUDGED that this action is dismissed for being frivolous or malicious or for failing to state a cause of action upon which relief may be granted.

United States District Judge

April 9 , 2004